

# Kentucky Real Estate NEWS

A Publication of the Kentucky Real Estate Commission

## Governor Steve Beshear Appoints Kimberly Sickles as Commissioner



On November 1, 2012, Governor Steve Beshear appointed Kimberly G. Sickles to a 4-year appointment as Commissioner. Ms. Sickles replaces former Commissioner Glenn Thomas, whose term had expired.

Ms. Sickles was originally licensed on March 13, 1995, as a sales associate, with Sickles Inc. Realty. Ms. Sickles and her husband are the owners of Sickles Inc. Realty where she also serves as its office manager and specializes in first time homebuyers.

In addition to Ms. Sickles receiving her Bachelor of Science Degree from Sullivan University, she earned the following designations: Accredited Buyers Representative ("ABR"), Graduate Realtor Institute ("GRI"), and Short Sales & Foreclosure Resource ("SFR").

In 2004, she was commissioned as a Kentucky Colonel and, in 2006, was named *Realtist Associate of the Year*. Ms. Sickles serves annually on the Property Valuation Administration Tax Appeals Board, holds an active Notary Public position for Kentucky State at Large, is a HUD-Approved Certified Housing Counselor, and in 2013 she will be Grand Marshal for MLK Annual Motorcade.

Ms. Sickles is a member of the Greater Louisville Association of REALTORS®, where she serves as Vice Chair of the Community Relations Committee; the Kentucky Association of REALTORS®; the National Association of REALTORS®; the Louisville Real Estate Brokers Association, where she serves as its financial secretary; and the National Association of Real Estate Brokers (NAREB). NAREB was formed in 1947 by African American real estate professionals that support legislative entities that ensure the availability of fair and affordable housing for all Americans.

Ms. Sickles resides in Louisville, Kentucky with her husband, Ronald Sickles, Sr. They have been married for 27 years and have three adult children: Kimberlee, Ronald,

Jr., and Ki'Ron. They are also the proud grandparents of one grandson, Kyrell.

Ms. Sickles enjoys traveling, walking, camping, community relations (especially in the local church), music, family time, and Friday night dates with her husband.

Commissioner Sickles says, "I would like to thank God, Governor Beshear, my family, and friends for the opportunity to serve the consumers and licensees of the Commonwealth of Kentucky. It is an honor and privilege to be your Commissioner; I pledge to do my best."

Welcome aboard Commissioner Sickles!

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**Kentucky**  
UNBRIDLED SPIRIT™

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### **Commissioners**

**Linda G. Cecil, Chair**  
Louisville

**James H. Huff, Vice-Chair**  
Ft. Mitchell

**Ken Perry**  
Cold Spring

**Bob Roberts**  
Richmond

**Kimberly Sickles**  
Louisville

### **Commission Staff**

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Executive Director

### **Education and Licensing**

Deedee Cummings  
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Michelle Gary  
Karen Morris  
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Denise Wade, Staff Attorney  
Kristen Reese, Staff Attorney  
Dianna Rogers  
Patricia Farris

### **Administration**

Shelly Saffran  
Director of Administration

Shelley Hunter  
Mary O'Wheatley  
Tracy Delgado

## **Comments from the Chair**

by: **Linda Gibson Cecil,**  
**Chair**



At the last meeting of the Commission, I received the honor of being elected by my colleagues to serve as Chair for the next 12 months. I want to thank my fellow Commissioners for their expression of confidence, and I look forward to the challenges of the position and working with each commissioner and KREC staff members.

In my capacity as Chair, I want to take this opportunity to acknowledge Commissioner Glenn Thomas for his commitment and tireless efforts as a member of the Commission during the past 4 years. Glenn's 4-year term expired on October 31, 2012. He has been an invaluable member of the KREC team, and we will miss his knowledge, experience, and leadership. On behalf of the Commission and staff, I want to extend our best wishes to Glenn and his family.

In addition, it is my pleasure to formally welcome our newest member of the Commission, Kimberly Sickles, who was appointed to a 4-year term on November 1, 2012, by Governor Steve Beshear. She replaces Glenn Thomas as a member of the Commission. Kimberly brings many years of experience to the real estate industry and the Commission, and she will be a great addition to the Commission's deliberations and decision-making.

As we near the end of 2012, it is important for the Commission to report to all licensees and consumers the activities and projects

undertaken by the agency over the past year, including how we have measured achievement of our annual goals and objectives. KREC's Annual Report for 2012 was presented to the Commission at its December 13, 2012 meeting and will be available to any interested party.

At the January 24, 2013 Commission meeting, staff will be presenting goals and objectives for the 2013 calendar year for the Commission to review and provide input. Once this document is approved, it will also be made available to licensees and the public.

The primary mission of the Commission under KRS Chapter 324 is to regulate state licensing and education of real estate brokers and sales associates and to safeguard and protect the public interest. In meeting this mission, it is the Commission's responsibility to maintain on-going and timely communications with all real estate licensees and to solicit your thoughts and recommendations regarding agency activities.

Please let us know how we might improve KREC's level of service to you and suggestions you may have regarding on-going agency activities, including your thoughts for any new initiatives. It is important that you share with us ways to improve our services to you and consumers and to offer suggestions intended to enhance the real estate profession. I look forward to working with you during the coming year.



## Comments from the Executive Director

By: **Michael W. Wooden,**  
Executive Director

It is my great privilege on behalf of the staff and appointed members of the Kentucky Real Estate Commission to recognize the distinguished service of Commissioner Glenn Thomas. On October 31, 2012, Glenn Thomas' 4-year term expired as a commissioner of the Kentucky Real Estate Commission.

Glenn Thomas' career in the real estate industry has been long and remarkable. Glenn has served the Kentucky Real Estate Commission, real estate licensees, and Kentucky consumers in a most professional and dedicated manner.

Since graduating from the University of Louisville in 1971, Glenn has devoted his professional career to the real estate industry. He is presently the President of Hart County Realty. He has served the profession in various capacities, including: sales associate, broker, real estate developer, investor, builder, property manager, and consultant.

Glenn is a Past-President of the Old Kentucky Home Board of Realtors®, and in 1989, he served as President of the Kentucky Association of Realtors®. He has earned the prestigious CCIM and ALC designations from the National Association of Realtors®. He is also a 2007 graduate of Leadership Kentucky.

For over fifteen years, in addition to his professional career, Glenn has been a consultant to the Hart County Industrial Authority. In this capacity he led the development of two industrial parks. In 1989, he was named Hart County Citizen of the year. In 2005, he was appointed as Hart County Judge Executive.

For the past 4 years, Glenn's leadership and direction have been vital to ensuring that the Kentucky Real Estate Commission meets its important statutory responsibilities to licensees and consumers. His advice and perspective have been an integral part of

every Commission meeting and valued by his colleagues. His fellow commissioners demonstrated their confidence in him by electing him chairman in 2010.

In recognition of his service, Glenn was recently presented with the Kentucky Real Estate Commission's Community Service Award. The Commission presented the award as an expression of appreciation for noteworthy service and for the time and effort spent in endeavors of importance to the Kentucky Real Estate Commission, to the real estate profession, and to the citizens of the Commonwealth of Kentucky.

While his future involvement may be in a different capacity, Glenn's interest and commitment to the real estate industry will continue. I am certain there will be many times that we seek Glenn's guidance and participation in Commission and industry activities.

Please join with me in extending to Glenn Thomas our thanks and appreciation for his service to the Kentucky Real Estate Commission, to the real estate industry, and to consumers in the Commonwealth. We all wish Glenn and his family the best in good health, happiness, and success in the years ahead.



***Commissioner Roberts passing the gavel to new Chair Linda Gibson Cecil***



Linda Cecil, Chair



Jim Huff, Vice-Chair



Bob Roberts



Ken Perry



Kim Sickles

## Accepting and Releasing Licensees is Simplified with Revised Form

The Commission consistently strives to improve the way it conducts business. Likewise, the Commission recognizes that the real estate field is moving faster than ever as a result of numerous changes in technology and communication.

One of the most recent changes the Commission has made is in direct response to the need to streamline the licensee acceptance and release process. The Commission has met this need by revising its Form #200. Historically, Form #200 was only used to allow principal brokers to accept licensees. This form was recently revised to allow the new principal broker to accept a licensee, while simultaneously allowing the former principal broker to release the licensee on the same form.

Licensees who wish to move quickly to better serve consumers can now send everything needed to transfer their licenses in one complete packet, as opposed to waiting for a separate form or a released license to come in from another person and location.

The Commission understands that principal brokers could be out of town when licensees want to transfer from their company to another company. The Commission often hears that licensees want to transfer quickly and with no “downtime.” This transition is also important to consumers who are either buying or selling their homes because they, too, want their real estate agents to continually work for them. In these instances, this form can be faxed or e-mailed to a principal broker, who can then sign the form and return it to the Commission, by fax or e-mail.

Form #200 can be accessed from the

Commission’s website ([krec.ky.gov](http://krec.ky.gov)) under the Forms tab. The completed form must be accompanied by a \$10.00 check or money order. In addition, all errors and omissions insurance requirements must be met and/or all fees must be paid. Licensees can log on to the Commission’s website and click on the KREC Database tab to review their updated status to ensure that the transfer has been completed.

Please remember when a licensee leaves a principal broker that any and all listings and pending contracts are owned by the principal broker. Also remember that the principal broker, as the owner of these contracts, is under no obligation to release his or her listings or pending contracts to the licensee’s new principal broker. However, the former principal broker could agree to assign them to the new principal broker.

A licensee should never try to get their seller-clients to re-list with a new company until the listing has been released.

The Commission staff hopes this newly-revised form will make it easier for licensees to move from one company to another. If you have specific questions about this new process, please feel free to contact the Commission’s Licensing Department.



# What Licensees Need to Know When Buying and Selling Their Personally-Owned Properties



Many real estate licensees buy and sell property for themselves. As a matter of fact, the KREC routinely receives calls from licensees in this situation who want to make sure that they are in compliance with the license law. KRS 324.020(3), which applies, states that a “licensee who is an owner or a builder-developer shall comply with the provisions of this chapter [i.e., KRS Chapter 324] and the administrative regulations applying to real estate brokers and sales associates.” This law requires licensees who are selling or buying their personally-owned properties or developing their personally-owned land to follow the law. This includes satisfying agency disclosure requirements, the seller’s disclosure of property conditions form requirements, and lead-based paint disclosure requirements, if applicable.

Before affiliated licensees decide to sell their property, they should consult with their principal brokers. This is advisable because a principal broker might have a company policy that requires affiliated licensees, in this situation, to list with the company their personally-owned real property, even though the license laws do not include that requirement.

Licensees seeking to sell property for themselves often ask whether they must include their principal broker’s name or the name of the real estate company in advertisements for their property. If the property is not “listed,” then the answer to this question is “no.” KRS 324.117(4) and 201 KAR 11:105 require print advertisements to include this information only when the property is listed. If, however, the licensee is a member of an Association or Board of Realtors®, then the licensee should contact his or her association or board to find out if the organization’s Code of Ethics contains additional advertising requirements that must be met.

In addition to the above, a licensee must remember that disciplinary action may be imposed against a licensee’s license when the licensee violates KRS 324.160(4)(e) by “acting for more than one (1) party in a transaction without the knowledge of all parties for whom the licensee acts.” Disciplinary action may also be imposed when a licensee fails to disclose his or her status as a licensee, in accordance with KRS 324.160(4)(e), which includes the following disclosure requirements:

*1. A real estate licensee shall not directly or indirectly buy property listed with him or her or with the broker with whom*

*the licensee is affiliated, nor acquire an interest therein, without first indicating in writing on the offer to purchase his or her status as a licensee;*

*2. Before a licensee becomes a party to a contract to purchase real property, the licensee shall disclose his or her status as a licensee to all parties to the transaction, in writing, on the sales contract or on the offer to purchase;*

*3. Before a licensee sells, or receives compensation for property in which the licensee owns an interest, the licensee shall disclose, in writing, any interest in the property to all parties to the transaction.*

Finally, it is very important for licensees to be aware of the extent of their errors and omissions insurance coverage, when they are selling or buying real property for themselves. For example, the KREC group errors and omissions insurance policy (administered by Rice Insurance Services Company, LLC) excludes professional services relating to property in which any insured or insured’s spouse has more than 25% financial or ownership interest (or in which any entity, corporation, partnership or trust in which the insured or insured’s spouse has more than a 25% financial or ownership interest). It also excludes professional services relating to property that is constructed or developed by the Insured or Insured’s spouse or any entity, corporation, partnership or trust in which the Insured or Insured’s spouse has more than a ten (10%) financial or ownership interest.

However, the group policy provides coverage for claims relating to the sale or listing of the licensee’s primary residence under certain conditions. In addition, a licensee may purchase an endorsement (for \$6) to add coverage for claims arising from the sale of residential property (a single family residence or multi-family residences with four or fewer units) in which the licensee has an ownership or financial interest under certain conditions. Licensees with private errors and omissions insurance coverage may have similar exclusions and provisions for owned property; so licensees with private coverage should review their specific policy exclusions and provisions.

As always, feel free to contact the KREC’s Legal Department if you have a license law question or concern.

## *KREC Hosts 14th Annual Half-Century Awards*

On October 19, 2012, the Commission hosted the 14th Annual Half-Century Awards Luncheon at the Holiday Inn Hurstbourne in Louisville. Each year the commissioners and staff look forward to recognizing and honoring licensees who reach their 50-year milestone. Their contributions to the real estate industry are commendable and their dedication over the last 50 years is an outstanding accomplishment.

The honorees in attendance were treated to a luncheon and a very special guest. The guest speaker was Dr. Carl Hurley, nicknamed "America's Funniest Professor." Dr. Hurley grew up in the Appalachian Mountains of Eastern Kentucky and has been entertaining audiences for years as a speaker and enter-

tainer. Dr. Hurley delighted the audience with his humorous stories and everyone in attendance was entertained by Dr. Hurley's unique comedy style.

This year there were 16 individuals who were licensed in 1962. Of the 16 individuals who reached the 50-year mark, six of them were present to receive their plaque.

Again, congratulations to this year's honorees. It is always a pleasure for the commissioners and staff to meet the licensees and hear their stories. The Commission truly appreciates the 50 years of service given by these dedicated licensees. Additional photographs of the Half-Century Awards Luncheon are on page 7.



Pictured left to right. Top: James Ball, Jr., Perry Poe, Williams Kurtz, Bottom: Walter Phillips, Alfred McGregor, and John Kaelin

Honored but not pictured are: Rogell Blankenship, Donald Blevins, Steward Coomes, David Hocker, Thomas Halliday, Jr., Marilyn Lowry, Roger Maze, Joseph McGowan, Russell Montgomery, and Bobby Phillips



Honorees James Ball, Jr., and Perry Poe with guests



KAR President Ann McDonald, Commissioner Linda Cecil, and KAR Executive Vice President Susie Helm



Dr. Carl Hurley sharing his comedic talents and delighting the audience



Former Commissioner Betty Kaiser, Former Commissioner Robert Massey, Commissioner Bob Roberts, and Commissioner Jim Huff



Staff Attorney Kristen Reese, Commissioner Ken Perry, Education Director Deedee Cummings, and Staff Attorney Denise Wade



Executive Director Michael Wooden addresses the honorees and guests

# Disciplinary Actions

## **Don C. Sullivan**

Case No. 12-0005 (Lexington)

**Violation:** Mr. Sullivan stipulated to a violations of KRS 324.160(4)(b) and (u); and KRS 324.160(4)(t) for violating 201 KAR 11:230, Section 4(6)(c) resulting from his misrepresentations to the Commission in a matter involving provision of a Commission Core Course for two (2) individuals on December 29, 2011.

**Disposition:** Mr. Sullivan agreed to voluntarily surrender permanently his license to the Commission, in lieu of revocation, beginning on the date of the final order.

## **Mitchell G. Withrow**

Case No. 12-0006 (Gray)

**Violation:** Mr. Withrow stipulated to a violation of KRS 324.160(4)(b) and (u), resulting from his misrepresentations to the Commission about his completion of a Commission Core Course on December 29, 2011.

**Disposition:** Mr. Withrow agreed to have his license “voluntarily surrendered, permanently, in lieu of revocation,” beginning on the date of the final order.

## **James B. Powell**

Case No. 10-0021 (Louisville)

**Violation:** Mr. Powell stipulated to an unintentional violation of KRS 324.160(4)(t) for violating 201 KAR 11:121, Section 1(4)(b) & (e) for breaching his fiduciary duty to obey his clients’ lawful instructions and to act with reasonable care and diligence (1) when he failed to obtain his clients’ written authorization and consent to extend a lease term, (2) when he authorized non-urgent

repairs in excess of preset amounts that required his clients’ authorization, which he lacked, and (3) when he failed to obtain a \$400.00 pet deposit. He further stipulated to an unintentional violation of KRS 324.160(4)(t) for violating KRS 324.111(3) by drawing checks on uncollected deposits from his escrow account, the deposits having been unintentionally deposited into a different operational account.

**Disposition:** Mr. Powell agreed to be placed on probation for a period of twelve (12) months and he agreed to pay a one thousand dollar (\$1,000.00) fine. Mr. Powell also agreed to complete six (6) hours of continuing education in law.

## **John A. Rousseau**

Case No. 07-0284 (Louisville)

**Violation:** Mr. Rousseau stipulated to a violation of KRS 324.160(4)(j) for entering a plea of guilty to two (2) misdemeanors involving sexual misconduct.

**Disposition:** Mr. Rousseau agreed to be placed on probation for a period of two (2) years. He also agreed to pay a one thousand dollar (\$1,000.00) fine and to accept a formal reprimand.

## **Irvin Lyons III**

Case No. 10-0147 (Elizabethtown)

**Violation:** Mr. Lyons stipulated to violations of KRS 324.160(4)(t) and KRS 324.160(4)(u) for violating KRS 324.160(4)(e); 201 KAR 11:121, Section 1(4); 201 KAR 11:250; and 201 KAR 11:400 by falsely stating on an offer that his company was acting in the capacity of the listing and cooperating company, which was unlisted property, at that time. He also

stipulated to failing to include his buyer-clients’ financing provisions in the offer he prepared and he improperly prepared and presented an unrepresented seller’s counteroffer to his buyer-clients; while acting in the capacity of an undisclosed dual agent. He also failed to timely prepare and provide agency disclosure statements and he unintentionally failed to act reasonably, diligently, and properly when he was negotiating the payment of his commission.

**Disposition:** Mr. Lyons agreed that his license shall be placed on probation for twelve (12) months and he agreed to pay a one thousand dollar (\$1,000.00) fine and accepted a formal reprimand.

## **William H. Proffitt**

Case No. 11-0136

(Thompkinsville)

**Violation:** Mr. Proffitt stipulated to a violation of KRS 324.160(4)(j) for pleading guilty to a felony.

**Disposition:** Mr. Proffitt agreed to pay a fine of one thousand dollars (\$1,000.00) and to accept a formal reprimand.

## **Robert B. Montgomery**

Case No. 11-0143 (Crestwood)

**Violation:** Mr. Montgomery stipulated to an unintentional violation of KRS 324.160(4)(u) for improperly conducting his property management activities without the appropriate supervision and affiliation of his principal broker.

**Disposition:** Mr. Montgomery agreed to pay a fine in the amount of five hundred dollars (\$500.00).

## **William S. Bornstein**

Case No. 11-0143 (Louisville)

**Violation:** Mr. Bornstein stipulated to an unintentional violation of

## Disciplinary Actions

Continued from Page 8

KRS 324.160(6) for failing to adequately supervise his affiliated-licensee.

**Disposition:** Mr. Bornstein agreed to pay a fine in the amount of five hundred dollars (\$500.00).

### Linda L. Conley

Case No. 09-0085 (Ashland)

**Violation:** Ms. Conley stipulated to a violation of KRS 324.160(4)(t); specifically, KRS 324.360 and 201 KAR 11:350, for failing to have the Seller's Disclosure of Property Condition Form signed by both of her seller-clients.

**Disposition:** Ms. Conley agreed to pay a fine in the amount of three hundred twenty-five dollars (\$325.00) and to accept a formal reprimand.

### Larry G. Kelley

Case No. 11-0142 (Wickliffe)

**Violation:** Mr. Kelley stipulated to a violation of KRS 324.160(4)(t) for violating KRS 324.360 for failing to provide a seller's disclosure form in a real estate transaction; 201 KAR 11:400 for failing to provide agency disclosure statements in a real estate transaction; and 201 KAR 11:062 for failing to preserve required records, specifically the seller's disclosure form and agency disclosure statements, in a real estate transaction.

**Disposition:** Mr. Kelley agreed to pay a fine in the amount of seven hundred fifty dollars (\$750.00) and to successfully complete three (3) hours of continuing education, in law.

### Jereme J. Willner

Case No. 12-0027 (Owensboro)

**Violation:** Mr. Willner stipulated

to a violation of KRS 324.160(4)(t) for violating 201 KAR 11:105; Section 1 and 6 when he did not have the consent to advertise a listed property from the real estate company that owned the listing agreement on the property and when he advertise a property without the consent of the owner.

**Disposition:** Mr. Willner agreed to pay a seven hundred fifty dollar (\$750.00) fine and to accept a formal reprimand.

### Mose Young

Case No. 11-0121 (Louisville)

**Violation:** Mr. Young stipulated to a violation of KRS 324.160(4)(j) for entering a plea of guilty to a felony.

**Disposition:** Mr. Young's license shall be placed on probation for a period of two (2) years whenever he activates his license and he agreed to pay a fine in the amount of one thousand dollars (\$1,000.00) and to accept a formal reprimand.

### Denise L. Hamilton

Case No. 10-0097 (Georgetown)

**Violation:** Ms. Hamilton stipulated to a violation of KRS 324.160(4)(t) for violating 201 KAR 11:250, Section 2(1) when she directly or indirectly, caused ambiguous language to be placed in a purchase contract regarding who would hold a contract deposit, causing confusion to her buyer-clients, in a dual agency transaction.

**Disposition:** Ms. Hamilton agreed to pay a joint-fine with Ms. Wallace in the amount of three hundred fifty dollars (\$350.00). She also agreed to successfully complete three (3) hours of continuing education, in contract law, in addition to any hours she is otherwise required to complete and to accept a formal reprimand.

### Beverly C. Wallace

Case No. 10-0097 (Georgetown)

**Violation:** Ms. Wallace stipulated to a violation of KRS 324.160(4)(t) for violating 201 KAR 11:250, Section 2(1) when she, directly or indirectly, caused ambiguous language to be placed in a purchase contract regarding who would hold a contract deposit, causing confusion to their buyer-clients, in a dual agency transaction.

**Disposition:** Ms. Wallace agreed to pay a joint-fine in the amount of three hundred and fifty dollars (\$350.00). She also agreed to successfully complete three (3) hours of continuing education, in contract law.

### Timothy M. Thompson

Case No. 11-0037 (Buffalo)

**Violation:** Mr. Thompson stipulated to a violation of KRS 324.160(4)(t) for violating 201 KAR 11:121, Section 1(4)(e) for failing to act with reasonable care and diligence when he failed to timely provide a termite inspection report to his buyer-client and when he failed to adequately discuss the home inspection report with his buyer-client.

**Disposition:** He agreed to pay a fine of five hundred dollars (\$500.00) and to successfully complete six (6) hours of continuing education in law, in addition to any hours he is otherwise required by law to complete. Mr. Timothy M. Thompson and Mr. Mark Haynes both agreed to pay the complainant the amount of five thousand dollars (\$5000.00).

**C.E. Deadline**  
**December 31, 2012**  
**See Page 10 For Details**

**Kentucky Real Estate Commission  
Education, Research and Recovery Fund Annual  
Statement of Income and Expenses for  
Fiscal Year Ending June 30, 2012**

**Income FY 2011/2012**

Exam Recovery Fee	15,240
Reciprocal Recovery	2,670
Renewal Recovery	651,240
Core Course	8,938
Investment Income	21,441

**INCOME TOTAL** **\$ 699,529**

**Expenditures FY 2011/2012**

Personnel	139,265
Legal Services	14,707
Investigative Services	101,173

Speaker Fees	18,599
Room Rental	372
Postage Delivery	1,890
Postage Meter & Bulk	11,326
Cassettes/Books	1,348
In State Travel	2,412
Out of State Travel	24,017
Subpoenas/Court Fees	653
Subscriptions	957
Seminar Refreshments	12,474
College Grants	126,720
On-line subscriptions	6,941

**EXPENDITURE TOTAL** **\$ 462,854**

## Optional Affidavit Reminders

The Optional Affidavit process can be used by applicants who encounter delays in receiving their FBI background report. This process includes an initial requirement that the applicant and principal broker both sign an affidavit. The applicant must sign an affidavit confirming that he or she does not have certain prior convictions. The principal broker must sign an affidavit stating that once the applicant is licensed, the principal broker will assign a mentor or licensee to work with the licensee until the FBI report, confirming no convictions, has been forwarded to the KREC.

Prior to the KREC's receipt of the FBI report, the licensee is **NOT** allowed to show property or meet with clients unless accompanied by the mentor or licensee assigned by the principal broker.

## TIME IS RUNNING OUT *C.E. Deadline is December 31, 2012*

All active licensees (except those licensed in Kentucky prior to June 19, 1976) must complete their continuing education by December 31, 2012. The requirement is six (6) hours with at least three (3) hours in law. Licensees must also remember that the Kentucky Core Course must be taken once every four (4) years. If you took the Core Course this year, it fulfills your six (6) hour continuing education requirement for 2012.

Licensees can view their individual continuing education requirements on the Commission's website ([krec.ky.gov](http://krec.ky.gov)). Click on the "KREC Database" tab and click "I Agree." Type in your first and last name as it appears on your license and click "Search." Then click on "Details." Next, click on "CE History" to display the current year requirements, hours posted, and previous seminars. Make our website one of your favorites!

Continuing education providers are also available on the Commission's website under the Continuing Education tab. The Commission does not offer continuing education, so licensees must contact the providers directly.

Please make sure you complete your continuing education by December 31, 2012. A \$500.00 fine will be assessed to those licensees who do not comply with the deadline.

# IMPORTANT NOTICE

## *Concerning Sworn Answers Filed with the KREC*

When a Sworn Complaint is filed with the Commission against a licensee, 201 KAR 11:190, Section 1(3), requires the licensee to include a copy of the following documents attached to his or her Sworn Answer: 1) listing contract, 2) purchase contract, 3) seller's disclosure form, 4) agency disclosure form, and 5) settlement statement.

Pursuant to a recent interpretation by the Commission, the above-listed "agency disclosure form" consists of the following documents, which **must** be filed with a licensee's Sworn Answer to a Complaint:

- 1) an appropriate Agency Disclosure Statement(s); and
- 2) the Commission's Consumer Guide to Agency Relationship Model Policy or a principal broker's properly-revised substitute for the Commission's consumer guide(s).

### **Is Your Contact Information Correct With KREC?**

**Having incorrect contact information with the KREC can be a costly mistake. Make sure you have updated your home and e-mail address, as well as your office address, by sending in Form #205.**

**The KREC will be closed on:**

**December 24 & 25, 2012  
(Christmas)**

**&**

**December 31, 2012 &  
January 1, 2013 (New Year)**

**&**

**January 21, 2013  
(Martin Luther King Day)**

Season's Greetings  
&  
Happy New Year

